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# DECLARATION

FROM

## Sir Thomas Fairfax,

AND

### The Army under his Command.

As it was humbly tendered to the Right Honourable the Lords and Commons Assembled in Parliament : As also to the Honourable the Lord Mayor, Aldermen, and Common-Councell of the City of London.

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Concerning the just and fundamentall Rights and Liberties of themselves and the Kingdome :  
With some humble Proposals and Desires.

*Printed by the speciall appointment of His Excellency Sir Thomas Fairfax, and Souldiery of the Army under his Command.*

St. Albons, June  
14. 1647.

Signed by me,  
JOHN RUSHVORTH.

Imprinted at London, for L. Chapman, and  
L. Blacklocke. 1647.

1060:01



*A Declaration from his Excellency Sir Thomas Fairfax, and the Army under his Command, humbly tendered to the PARLIAMENT, concerning the just and fundamentall Rights and Liberties of themselves and the Kingdome, with some humble proposalls and desires.*

**T**Hat we may be no longer the dissatisfaction of our friends, the subject of our enemies malice to worke jealousies and mis-representations upon, and the suspicion if not astonishment of many in the Kingdome in our late or present transactions and conduct of businesse, we shall in all faithfulness and cleareness profess, and declare unto you those things which have of late portraicted and hindered our disbanding, the present grievances which possesse our Army and are yet unremedied, with our desire as to the compleat settlement of the liberties and peace of the Kingdome, which is that blessing of God then which nothing is more deare to us, or more precious in our thoughts, we having hitherto thought all our present enjoyments, whether of life or livelihood, or

nearest relations, a price but sufficient to the purchase of so rich a blessing, that we, and all the freeborne people of this Nation may sit downe in quiet under our Vines, and under the glorious administrations of Justice and Righteousnesse, and in full possession of those fundamentall rights and liberties without which we can have little hopes as to humane considerations, to enjoy either any comforts of life, or so much as life it selfe, but at the pleasures of men, ruling meerely according to will and power. It cannot be unknowne what hath passed betwixt the Parliament and the Army as to the service of *Ireland*; by all which together with the like proceedings against the Army, in relation to their Petition and grievances, all men may judge what hath hindered the Army from a ready ingagement in that service, and without further Account or Apology as to that particuler, then what those passages and proceedings themselves already made publike doe afford; we doe appeale to your selves, whether those courses to which the Parliament hath by the designs and practice of some been drawne, have rationally tended to induce a cheerefull and unanimous undertaking of the Army to that service, or rather breake and pull the Army in peeces with discontents and dishonour, and to put such disobligations and provocations upon it as might drive it into distemper, and indeed discourage both this Army and other Souldiers from any further engagement in the Parliaments service: And we with all men would with us upon the whole carriage seriously consider, whether in the intentions of those who have by false informations, and mis-representations

put



put the Parliament upon such wayes: The timely and effectuall reliefe of *Ireland* seeme really to have been intended, or rather (with the breaking or disbanding of this Army) to draw together or raise such other Forces, and of such a temper as might serve to some desperate and destructive designes in *England*, which (besides the probable suspitions from their carriage of the businesse, we have before hand, in the transaction thereof, had more then hints of such a designe, by cleare expressions to that purpose, from many of those Officers of the Army, that have been perswaded, and appeared most forward to ingage for *Ireland* on the termes proposed. And that such a designe hath all along been driven, seemes now too evident by the present disposing of those Forces that have been ingaged for *Ireland*) by the indeavour of some to gaine a power from the Parliament, of ordering those Forces for some Service in *England*, and by the private listings of men for service here, without any publique Authority of Parliament; And (all this) by the same persons who have all along appeared most active and violent in the late proceedings against the Army.

As to the just discontents and dis-satisfaction of the Army, in relation to their grievances, and their non-compliance to the late Orders for Souldiers disbanding by pæce-meale, before more full and equall satisfaction were given to the whole; We desire you to looke back to the Papers already published of the grievances themselves, the Narrative of the Officers, and to the latter Papers from the Generall Councell of Warre at *Bury*, and the late generall Rendezvouze neare *Newmarket*; and (we thinke your late resuming the consideration of those things (as to a further satisfaction) doth much justifie the desires and proceedings of the Army in those past particulars hitherto. And though (had we

nearest relations, a price but sufficient to the purchase of so rich a blessing, that we, and all the freeborne people of this Nation may sit downe in quiet under our Vines, and under the glorious administrations of Justice and Righteousnesse, and in full possession of those fundamentall rights and liberties without which we can have little hopes as to humane considerations, to enjoy either any comforts of life, or so much as life it selfe, but at the pleasures of men, ruling meerely according to will and power. It cannot be unknowne what hath passed betwixt the Parliament and the Army as to the service of *Ireland*; by all which together with the like proceedings against the Army, in relation to their Petition and grievances, all men may judge what hath hindered the Army from a ready ingagement in that service, and without further Account or Apology as to that particuar, then what those passages and proceedings themselves already made publike doe afford; we doe appeale to your selves, whether those courses to which the Parliament hath by the designs and practice of some been drawne, have rationally tended to induce a cheerefull and unanimous undertaking of the Army to that service, or rather breake and pull the Army in peeces with discontents and dishonour, and to put such disobligations and provocations upon it as might drive it into distemper, and indeed discourage both this Army and other Souldiers from any further engagement in the Parliaments service: And we wish all men would with us upon the whole carriage seriously consider, whether in the intentions of those who have by false informations, and mis-representations

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(upon our first addresses) for our undoubted Rights and dues) found a free and candid reception, with a just consideration, and a reasonable satisfaction, or at least an ingenious Answer therein ; We should have been easily satisfiable to have abated or forborne much of our dues, and not to have inquired into, or considered (so farre as we have) either the possibilities there are for more present satisfaction of Arreares, or the credit of future securities proposed ; yet since upon those former addresses, we have found such hard dealing (as in the said Papers is set forth, and those additionall (though hitherto but partiall satisfaction) coming so hardly as they have, we finde no obliging reasons in the least, to decline or recede from what is our due, but rather still to adhere unto our desires of full and equall satisfaction in all the things mentioned in the aforesaid Papers, not onely in behalfe of our selves and the Army, but also of the whole Souldiery throw out the Kingdome, who have concurred, or shall concurre with us in the same desires, and to all our former desires. As Souldiers we cannot but adde this, wherein we finde our selves so neerly concerned in point of Justice and Reputation, that more care, and a stricter course may be taken for good, all Articies granted upon surrendors, according to the true intent and meaning of them ; as also for remedy and reparation, in case of any breach (and this) without those delays which divers have found as prejudiciall to them, or more then if they had been totally denied the performance of them. Nor will it now (we hope) seeme strange or unseasonable to rationall and honest men, who consider the consequence of our present case, and their own and the Kingdoms, as well as our future concernments in point of right, freedome, peace and safety, if from a deep sense of the high consequence of our present case, both to

our selves (in future) and all other people, we shall before Disbanding proceed in our owne and the Kingdoms behalte to propound, and plead for some provision for our and the Kingdoms satisfaction, and future security in relation to those things. especially considering that we were not a meere mercenary Army, hired to serve any Arbitrary power of Estate, but called forth and conjured by the severall Declarations of Parliament, for the defence of our owne and the peoples Rights and Liberties, and so we tooke up Armes in Judgement and conscience to those ends, and have so continued them, and are resolved according to your first just desires in your Declarations, and such principles as we have received from your frequent informations, and our owne common sence concerning those our fundamentall Rights and Liberties, to effect and vindicate the just power and right of this Kingdome in Parliaments for those common ends promised against all Arbitrary power, violence and oppression, and all particular parties or interests whatsoever, the said Declarations still directing us to the equall sence of all Lawes and Constitutions, as dispensing with the very letters of the same, and being supream to it. when the safety and preservation of all is concerned. and assuring us that all authority is fundamentally sealed in the Office, and but ministerially in the Person; neither do, or will these our proceedings (as we are fully and in conscience perswaded) amount to any thing not warrantable before God and men, being thus farre much short of the common proceedings in other Nations, to things of an higher nature then we have yet appeared to: and we cannot but be sensible of the great complaints that have been made to us generally in the Kingdome from the people where we march, by Petition, and otherwise of Arbitrarinesse and injustice to their great and insupportable oppressions.

And truly such Kingdomes as have according both to the Law of Nature and Nations, appeared to the vindication and defence of their just Rights and Liberties have proceeded much higher. as our Brethren of *Scotland*, who in the first beginning of these late differences, associated in Covenant from the very same Grounds and Principles, having no visible forme either of Parliament or King to countenance them

them: & as they were therein instituted & protected by their own and this Kingdome also, so we justly shall expect to be

We need not mention the State of the *Nether-Lands*, the *Portugalls*, and others, all proceeding upon the same Principles of Right and Freedome, and accordingly the Parliament hath Declared it no resisting of Magistracy to side with the just Principles, and Law of Nature and Nations, being that Law upon which we have assisted you, and that the Souldiery may lawfully hold the hands of that Generall who will turne his Cannon against his Army on purpose to destroy them: the Seamen the hands of that Pilot who willfully runs the Ship upon the rock (as our Brethren of *Scotland* argued) and such were the proceedings of our Ancestors of famous memory, to the purchasing of such Rights and Liberties as they have enjoyed through the price of their blood, and we both by that and the latter blood of our dearest friends and fellow Souldiers, all the hazard of our owne doe lay claime unto.

Nor is that supreme end (the glory of God) wanting in these cases to set a price upon all such proceedings of righteousness and justice, it being one wimess of God in the world to carry on a testimony against the injustice and unrighteousness of men, and against the miscarriages of Governments, when corrupted or declining from their primitive and original glory.

These things we mention but to compare proceedings, and to shew that we are so much the more justifiable and warrantable in what we do; by how much we come short of that height and measure of proceedings, which the people in free Kingdomes and Nations have formerly practised.

Now having thus faire cleared our way in this business, we shall provide to propound such things as we do humbly desire for the settling and securing of our owne and the Kingdomes peace and safety, as followeth:

1. That the Houses may be speedily purged of such Members, as for their Delinquency, or for corruptions or abuse to the State, or undue election, ought not to sit there; whereof the late election in Cornwall, Wales, and other parts of the Kingdome afford too many examples, to the great prejudice of the peoples freedome, in the said Elections.

2. That those persons who have in the late unjust and high proceedings against the Army, appeared to have the will, the confidence, credit, and power, to abuse the Parliament and the Army, and indanger the Kingdome in the carrying on such things against us (while an Army) may be some way speedily disabled from doing the like or worse to us (who disbanded and dispersed, and in the condition of private men) or to other the free borne people of England, in the same condition with us: And that (for that purpose) the same persons may not continue in the same power (especially) as our and the Kingdoms Judges in the Highest Trust, but may be made incapable thereof for future.



And if it be questioned who these are, we thought not fit particularly to name them in this our Representation to you, but will very speedily give in their names, and before long shall offer what we have to say against them to your Commissioners: wherein we hope so to carry our selves, as that the world shall see we aim at nothing of private revenge or animosities, but that Justice may have a free course, and the Kingdom be eased and secured, by disabling such men at least from places of Judicature, who desiring to advantage or set up themselves and their party in a general confusion, have endeavored to put the Kingdom into a new flame of War, then which nothing is more abhorrent to us.

But because neither the granting of these alone would be sufficient to secure our own and the Kingdoms Right, Liberties and Safety, either for the present Age or posterity: Nor would our proposal of this singly be free from the scandal and appearance of Faction or Design onely to weaken one party (under the notion of unjust or tyrannical) that we may advance another which may be imagined more our own) We therefore Declare, That indeed we cannot but wish that such men, and such onely might be preferred to the great power and trust of the Commonwealth, as are approved at least for Moral Righteousness; and of such, we cannot but in our wishes prefer those that appear acted thereunto by a principle of Conscience and Religion in them: And accordingly we do and ever shall bless God for those many such Worthies, who through his providence have been chosen into this Parliament, and to such mens endeavors under God) we cannot but attribute that Vindication in part of the peoples Rights and Liberties, and those beginnings of a just Reformation, which the first proceedings of this Parliament appeared to have driven at and tended to, though of late obstructed, or rather diverted to other ends and interests, by the prevailing of other persons of other principles and conditions.

But yet we are so far from designing or complying to have an absolute or Arbitrary power fixt or settled for continuance, in any persons whatsoever, as that (if we might be sure to obtain it) we cannot wish to have it so in the persons of any whom we could most confide in, or who should appear most of our own

Opinions or Principles, or whom we might have personal assurance of, or interest in; but we do and shall much rather wish, That the Authority of this Kingdom in Parliaments rightly constituted (that is) freely, equally and successively chosen, according to its original intention, may ever stand and have its course. And therefore we shall apply our desires chiefly to such things, as (by having Parliaments settled in such a right constitution) may give most hopes of Justice and Righteousness to flow down equally to all in that its ancient channel, without any Overtures tending either to overthrow that foundation of Order and Government in this Kingdom, or to ingross that power for perpetuity into the hands of any particular persons or party whatsoever; and for that purpose, though as we have found it doubted by many men (minding sincerely the publique good, but not weighing so fully all consequences of things) it may, and is not unlike to prove, That upon the ending of this Parliament, and the Election of new, the constitution of succeeding Parliaments (as to the persons elected) may prove for the worse many ways; yet since neither in the present purging of this Parliament, nor in the Election of new, we cannot promise to our selves or to the Kingdom an assurance of Justice, or other positive good, from the hands of men, but those who for present appear most righteous and most for common good (having an unlimited power fixed in them during life or pleasure) in time may become corrupt, or settle into parties or Factions; or on the other side, in the case of new Elections, those that should so succeed may prove as bad or worse then the former: We therefore humbly conceive, That (of two inconveniences the less being to be chosen) the main things to be intended in this case (and beyond which humane providence cannot reach, as to any assurance of positive good) seems to be this; *viz.* To provide, that however unjust or corrupt the persons of Parliament-men in present or future may prove, or whatever ill they may do to particular parties, or to the whole in particular things, during their respective terms or periods, yet they shall not have the temptation or advantage of an unlimited power fixt in them during their own pleasures, whereby to perpetuate Injustice and Oppression upon any without end or remedy, or to advance and uphold any one particular Party,



Party, Faction or Interest whatsoever, to the oppression or prejudice of the Community, and the enslaving of the Kingdom unto all posterity; but that these people may have an equal hope or possibility (if they have made an ill choice at one time to amend it in another) and themselves may be in a capacity to taste of Subjection as well as Rule, and may so be inclined to consider of other mens cases, as what may come to be their own. This we speak as in relation to the House of Commons, as being intrusted on the peoples behalf for their interest in that great and Supreme power of the Commonwealth, (*viz.* The Legislative power, with the power of final Judgement) which being in its own nature so Arbitrary, and in a maner unlimited (unless in point of time) is most unfit and dangerous, as to the peoples interest, to be fixt in the persons of the same men during life or their own pleasure; neither by the original constitution of this State was it or ought it to continue so, nor do's it where ever it is and continue so, render that State any better then a meer Tyranny, or the people subjected to it any better then Vassals; but in all States where there is any face of common Freedom, and particularly in this State of *ENGLAND*, as is most evident both by many Positive Laws (and Ancient constant Customs) the People have a Right to new and successive Elections unto that great and Supreme Trust, at certain periods of time, which is so Essential and Fundamental to their Freedom, as it cannot or ought not to be denied them or withheld from them, and without which the House of Commons is of very little concernment to the Interest of the Commons of *England*: Yet in this we would not be misunderstood, in the least to blame those Worthies of both Houses, whose zeal to vindicate the Liberties of this Nation, did procure that Act for continuance of this Parliament, whereby it was secured from being dissolved at the Kings pleasure, as former Parliaments have been, and reduced to such a certainty as might enable them the better to assert and vindicate the Liberties of this Nation, immediately before so highly invaded, and then also so much indangered; and these we take to be the principal ends and grounds for which in that exigency of time and affairs it was promised, and to which we acknowledge it hath happily been made use of: But we cannot

Opinions or Principles, or whom we might have personal assurance of, or interest in; but we do and shall much rather wish, That the Authority of this Kingdom in Parliaments rightly constituted (that is) freely, equally and successively chosen, according to its original intention, may ever stand and have its course. And therefore we shall apply our desires chiefly to such things, as (by having Parliaments settled in such a right constitution) may give most hopes of Justice and Righteousness to flow down equally to all in that its ancient channel, without any Overturns tending either to overthrow that foundation of Order and Government in this Kingdom, or to ingross that power for perpetuity into the hands of any particular persons or party whatsoever; and for that purpose, though as we have found it doubted by many men (minding sincerely the publique good, but not weighing so fully all consequences of things) it may, and is not unlike to prove, That upon the ending of this Parliament, and the Election of new, the constitution of succeeding Parliaments (as to the persons elected) may prove for the worse many ways; yet since neither in the present purging of this Parliament, nor in the Election of new, we cannot promise to our selves or to the Kingdom an assurance of Justice, or other positive good, from the hands of men, but those who for present appear most righteous and most for common good (having an unlimited power fixed in them during life or pleasure) in time may become corrupt, or settle into parties or Factions; or on the other side, in the case of new Elections, those that should so succeed may prove as bad or worse then the former: We therefore humbly conceive, That (of two inconveniences the less being to be chosen) the main things to be intended in this case (and beyond which humane providence cannot reach, as to any assurance of positive good) seems to be this; *viz.* To provide, that however unjust or corrupt the persons of Parliament-men in present or future may prove, or whatever ill they may do to particular parties, or to the whole in particular things, during their respective terms or periods, yet they shall not have the temptation or advantage of an unlimited power fixt in them during their own pleasures, whereby to perpetuate Injustice and Oppression upon any without end or remedy, or to advance and uphold any one particular

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think it was by those Worthies intended, or ought to be made use of, to the perpetuating of that Supreme Trust and Power in the persons of any during their own pleasures, or to the debarring of the People from their right of Elections totally new, when those Dangers or Exigencies were past, and the Affairs and Safety of the Common-wealth would admit of such a change.

Having thus cleared our Grounds and Intentions, as we hope, from all scruples or misunderstandings; in what follows we shall proceed further to propose, what we humbly desire for the settling and securing of our own and the Kingdoms Rights and Liberties (through the blessing of God to Posterity) and therefore, upon all the grounds premised, we further humbly desire as followeth:

3. That some determinate period of time may be set, for the continuance of this and future Parliaments, beyond which none shall continue, and upon which new Writs may of course issue out, and new Elections successively take place, according to the intent of the Bill for Triennial Parliaments.

And herein we would not be misunderstood, to desire a present or sudden dissolution of this Parliament, but onely (as is expressed before) That some certain period may be set for the determining of it, so as it may not remain (as now) continuable forever, or during the pleasure of the present Members: And we should desire, That the period to be now set for ending this Parliament, may be such as may give sufficient time for provision of what is wanting, and necessary to be passed in point of Just Reformation, and for further securing the Rights, Liberties, and settling the Peace of the Kingdom; In order to which we further humbly offer:

4. That secure provision may be made for the continuance of future Parliaments, so as they may not be adjournable or dissolvable at the Kings pleasure, or any other ways, then by their own consent, during their respective periods, but at those periods each Parliament to determine of course, as before: This we desire may be now provided for (if it may be) so as to put it out of all dispute for future, though we think of right it ought not to have been otherwise before.



And thus a firm foundation being laid in the Authority and Constitution of Parliament, for the hopes at least of Common and Equal Right and Freedom to our selves, and all the Free-born People of this Land; We shall for our parts freely and cheerfully commit our Stock or share of Interest in this Kingdom into this common Bottom of Parliaments; and though it may (for our particulars) go ill with us in one voyage, yet we shall thus hope (if right be with us) to fare better in another: These things we desire may be provided for by Bill or Ordinance of Parliament, to which the Royal Assent may be desired; and when His Majesty in these things, and what else shall be proposed by the Parliament, necessary for securing the Rights and Liberties of the People, and for settling the Militia and Peace of the Kingdom, shall have given his Concurrence, to put them past all dispute; We shall then desire, That the Rights of His Majesty and His Posterity may be considered of, and settled in all things, so far as may consist with the Right and Freedom of the Subject; and with the security of the same for future.

5. We desire, That the Rights and Freedom of the People to represent, by way of humble Petition to the Parliament, their Grievances in such things as cannot otherwise be remedied, then by Parliament, may be cleared and vindicated: That all such Grievances of the People may be freely received and admitted into consideration, and put into an equitable and speedy way to be heard, examined and redressed (if they appear real) And that in such things for which men have remedy by Law, they may be freely left to the benefit of Law, and the regulated course of Justice, without interruption or check from the Parliament, except in case of things done upon the Exigency of War, or for the service and benefit of the Parliament and Kingdom, in relation to the War, or otherwise, in due pursuance and execution of Ordinances or Orders of Parliament.

More particularly under this Head we cannot but desire, That all such as are imprisoned for any pretended Misdemeanor, may be put into a speedy way for a just Hearing and Tryal, and such as shall appear to have been unjustly and unduly imprisoned, may (with their liberties) have some reasonable reparation, according to their sufferings, and the demerit of their oppressors.

6. That

6. That the large Powers given to Committees or Deputy Lieutenants, during the late times of War and Distraction, may be speedily taken into consideration, That such of those Powers as appear not necessary to be continued, may be taken away, and such of them as are necessary, be put into a regulated way, and left to as little Arbitrariness as the nature and necessity of the things wherein they are conversant will bear.

7. We could wish that the Kingdom might both be righted, and publickly satisfied in point of Accompts for the vast sums that have been levied and paid, as also in divers other things wherein the Commonwealth may be conceived to have been wronged or abused; But we are loath to press any thing that may tend to lengthen out further disputes or contestations, but rather such as may tend to a speedy and general composition and quieting of mens mindes in order to Peace: For which purpose we further propose,

8. That (publique Justice being first satisfied by some few examples to Posterity, out of the worst of excepted persons and other Delinquents having past their compositions) some course may be taken (by an Act of Oblivion or otherwise) whereby the seeds of future War or Fews, either to the present age or posterity may the better be taken away, by easing that sence of present, and satisfying those fears of future ruine or undoing to persons or families, which may drive men into any desperate ways for self-preservation or remedy; and by taking away the private remembrances and distinctions of parties, as far as may stand with safety to the Rights and Liberties we have hitherto fought for.

There are besides these, many particular things which we could wish to be done, and some to be undone, all in order still to the same ends of Common Right, Freedom, Peace and Safety: but these proposals aforegoing present, being the principal things we bottom and insist upon, we shall (as we have said before, for our parts) acquiesce for other particulars to the Wisdom and Justice of Parliament.

And whereas it hath been suggested or suspected, That in our late or present proceedings, our design is to overthrow Presbytery, or hinder the settlement thereof, and to have the Independent



Government set up, we do clearly disclaim and disavow any such design: we only desire, That according to the Declaration (promising a provision for tender Consciences) there may some effectual course be taken according to the intent thereof, and that such, who upon conscientious grounds may differ from the established Forms, may not for that be debarred from the common Rights, Liberties or Benefits belonging equally to all, as men and members of the Commonwealth, while they live soberly, honestly, and inoffensively towards others, and peaceably and faithfully towards the State.

Wee have thus freely and clearly declared the depth and bottoms of our hearts & desires, in order to the Rights, Liberties, and Peace of the Kingdom; wherein we appeal to all men, whether we seek any thing of advantage to our selves, or any particular party what ever, to the prejudice of the whole; and whether the things we wish and seek, do not equally concern and conduce to the good of all in common, with our selves: According to the sincerity of our desires and intentions, wherein (as we have already found the concurrent sence of the people in divers Counties, by their Petitions to the General, expressing their deep resentment of these things, and pressing us to stand for the interest of the Kingdom therein, so) we shall wish and expect to finde the unanimous concurrence of all others, who are equally concerned with us in these things, and wish well to the Publique.

And so (trusting in the mercy and goodness of God, to pass by and help any failings or infirmities of ours, in the carriage or proceedings hereupon) we shall humbly cast our selves and the business upon his good pleasure, depending only on his presence and blessing for an happy issue, to the Peace and good of this poor Kingdom: In the accomplishment whereof, we desire and hope, That God will make you blessed instruments.

*By the appointment of his Excellency Sir Tho: Fairfax, and  
Soldiers of the Army under his Command.*

Albans, June 14.

1647.

Signed by me

JOHN RUSHWORTH.

F I N I S.